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PATENT

ATTORNEY DOCKET NO. 47232-5003-00-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Kaoru MIYAMOTO et al.) Confirmation No.: 4728
Application No.: 10/534,424) Group Art Unit: Unassigned
Filed: May 10, 2005) Examiner: Unassigned
For: TRANSCRIPTIONAL REGULATOR ZHX3)

Commissioner for Patents
U.S. Patent and Trademark Office

Customer Window Mail Stop: ☒ New Application ☐ Amendment ☐ AF ☐ Issue
Fee
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT (IDS)

☒ **Under 37 C.F.R. § 1.97(b):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the undersigned's knowledge, this IDS is being filed before the mailing date of a first Office Action on the merits, before the mailing date of a first Office Action on the merits after filing an RCE under § 1.114, or within three months of the application filing date.

☐ **Under 37 C.F.R. § 1.97(c):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the application.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; or

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ **Under 37 C.F.R. § 1.97(d):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(c) but before payment of the issue fee.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; and

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☒ A search report or other listing of documents from a counterpart, related, or other application dated February 7, 2006 and having documents cited thereon is attached for the Examiner's consideration. Any of these documents not previously cited, and any additional documents are listed on the PTO Form 1449.

☒ Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. As for any document listed on the accompanying PTO-1449 that is in a language other than English, relevance can be understood from an enclosed English abstract or at least partial translation or from mention in the specification or in a search report for a corresponding application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

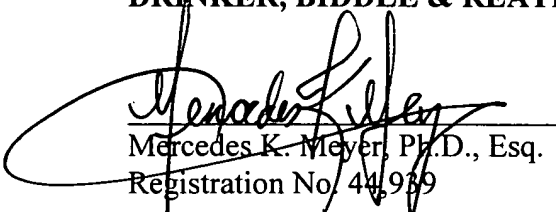
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

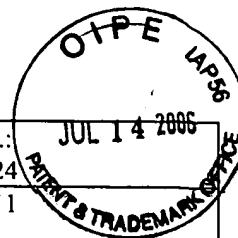
Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: July 14, 2006


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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Attorney Docket No.: 47232-5003-00-US	Serial No.: 10/534,424
	Applicants Kaoru MIYAMOTO et al.	Page 1 of 1
PTO Form 1449	Filing Date: May 10, 2005	Group Art Unit: Unassigned

U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date

FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	Translation YES NO

OTHER DOCUMENTS

(Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published)	
	K. Yamada et al., "Functional analysis and the molecular dissection of zinc-fingers and homeoboxes 1 (ZHX1)," Biochemical and Biophysical Research Communications 297 (2002) pp. 368-374, Academic Press, San Diego, CA
	T. Ninomiya et al., "Regulation of the α -Fetoprotein Gene by the Isoforms of ATBF1 Transcription Factor in Human Hepatoma," Hepatology, January 2002, pp. 82-87, William & Wilkins, Baltimore, MD
	H. Osawa et al., "Identification and Characterization of Basal and Cyclic AMP Response Elements in the Promoter of the Rat Hexokinase II Gene," The Journal of Biological Chemistry, Vol. 271, No. 29, Issue of July 19, (1996) pp. 17296-17303, American Society for Biochemistry and Molecular Biology, Baltimore, MD
	K. Yamada et al., "Identification of proteins that interact with NF-YA," FEBS Letter 460 (1999), pp. 41-45, Elsevier Science BV, Amsterdam, Holland
	K. Yamada et al., "Sp Family Members and Nuclear Factor-Y Cooperatively Stimulate Transcription from the Rat Pyruvate Kinase M Gene Distal Promotor Region via Their Direct Interactions," The Journal of Biological Chemistry, Vol. 275, No. 24, Issue of June 16, (2000), pp. 18129-18137, American Society for Biochemistry and Molecular Biology, Baltimore, MD
	K. Yamada et al., "Analysis of zinc-fingers and homeoboxes (ZHX)-1-interacting proteins: molecular cloning and characterization of a member of the ZHX family, ZHX3." Biochem. J. (2003) 373, pp. 167-178, Biochemical Society, London, England
	J. Barthelemy et al., "zhx-1: A Novel Mouse Homeodomain Protein Containing Two Zinc-Fingers and Five Homeodomains," Biochemical and Biophysical Research Communications 224 (1996) pp. 870-876, Article No. 1114, Academic Press, San Diego, CA

Examiner	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.